

Summons in a Civil Action (Rev 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

SANDRA S. YBARRA,

Plaintiff,

vs

UNITED STATES OF AMERICA,

Defendant

SUMMONS IN A CIVIL ACTION

Case No.

'08 CV 0350 BEN POR

TO: (Name and Address of Defendant)

UNITED STATES OF AMERICA
OFFICE OF THE U.S. ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
101 W. Broadway, Suite 1500
San Diego, CA 92101

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Aubrey D. Boyd, Esq. (SBN 60632)
Attorney at Law
101 West Broadway, Suite 1950
San Diego, CA 92101-8220
619/231-0929

An answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

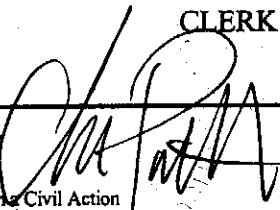
W. Samuel Hamrick, Jr.

CLERK

2/22/08

DATE


By



, Deputy Clerk

Summons in a Civil Action

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RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE 2/22/08	
NAME OF SERVER Aubrey D. Boyd, Esq.		TITLE Attorney for Plaintiff	
Check one box below to indicate appropriate method of service			
<input checked="checked" type="checkbox"/>	Served personally upon the defendant. Place where served:	Lori MacDonald Legal Assistant Office of the U.S. Attorney 101 W. Broadway, Ste. 1500 San Diego, CA 92101	
<input type="checkbox"/>	Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:		
Name of person with whom the summons and complaint were left: _____			
<input type="checkbox"/>	Return unexecuted:		
<input type="checkbox"/>	Other (specify):		
STATEMENT OF SERVICE FEES			
TRAVEL 0	0	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.			
Executed on: 2/22/08	Date	 Signature of Server Aubrey D. Boyd, Esq. 101 West Broadway, Suite 1950 Address of Server San Diego, CA 92101	
NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE			
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.			
YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.			
JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure